

Introduced by Senator Alarcon

January 12, 2005

An act to add Section 76000.5 to the Government Code, relating to county penalties.

LEGISLATIVE COUNSEL'S DIGEST

SB 57, as introduced, Alarcon. Fines and forfeitures.

Existing law establishes an additional penalty to be assessed by each county on fines, penalties, and forfeitures imposed for criminal offenses and parking penalties, to be used for local courthouse construction, criminal justice facilities construction, automatic fingerprint identification funding, forensic laboratory funding, emergency medical services funding, and DNA identification funding, as specified for each county.

This bill would provide that a county board of supervisors may elect to levy an additional penalty in the amount of \$2 for every \$10, upon fines, penalties, and forfeitures collected for criminal offenses, as specified. This bill would also provide that, in addition, a county board of supervisors may levy a penalty in the amount of \$2 for every \$10 upon fines, penalties, and forfeitures collected for violations of law related to seatbelt use, speed limits, driving under the influence, and domestic violence. This bill would provide that counties that have pediatric trauma units shall be allowed to spend up to 15% of the funds collected pursuant to these provisions for equipping and reimbursing trauma care facilities that provide pediatric trauma care.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 76000.5 is added to the Government Code, to read:

76000.5. (a) In addition to the penalties set forth in Section 76000, the county board of supervisors may elect to levy an additional penalty of two dollars (\$2) for every ten dollars (\$10) or fraction thereof which shall be collected together with and in the same manner as the amounts established by Section 1464 of the Penal Code, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, including violations of Division 9 (commencing with Section 23000) of the Business and Professions Code relating to the control of alcoholic beverages, and all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code, except parking offenses subject to Article 3 (commencing with Section 40200) of Chapter 1 of Division 17 of the Vehicle Code.

(b) Money collected pursuant to subdivision (a) shall be taken from fines and forfeitures deposited with the county treasurer prior to any division pursuant to Section 1463 of the Penal Code.

(c) In addition to the penalties set forth in subdivision (a), the county board of supervisors, by resolution, may elect to levy an additional penalty of two dollars (\$2) for every ten dollars (\$10) or fraction thereof, which shall be collected together with and in the same manner as the amounts established by Section 1464 of the Penal Code, upon every fine, penalty, or forfeiture imposed and collected by the courts for the offenses listed below:

(1) A violation of Section 27315 of the Vehicle Code relating to seatbelt use.

(2) A violation of Chapter 7 (commencing with Section 22348) of Division 11 of the Vehicle Code, relating to speed limits.

(3) A violation of Section 23152 or 23153, relating to driving under the influence of alcohol or a controlled substance, or a violation of Section 23103, as specified in Section 23103.5, relating to alcohol-related reckless driving.

(4) A crime of domestic violence as defined in subdivisions (a) and (b) of Section 13700 of the Penal Code or Section 6211 of the Family Code.

1 (d) In addition to any other funding provided to a trauma
2 center under this chapter, counties that have pediatric trauma
3 units shall be allowed to spend up to 15 percent of the funds
4 collected under this section for equipping and reimbursing
5 trauma care facilities that provide pediatric trauma care. Funds
6 spent for these purposes shall be known as pediatric trauma care
7 funds.

8 (e) No more than 5 percent of the funds collected pursuant to
9 subdivisions (a) and (b) shall be spent for administrative
10 purposes.

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